



THE 2013 TEXAS LEGISLATURE AND TAHC



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The smoke has finally cleared on the 83rd Texas Legislative session, and it was quite a ride this last spring. First and foremost, I want to thank the Texas Veterinary Medical Association (TVMA) in general, and Elizabeth Choate and Chris Copeland specifically, for all their support of the various legislative issues surrounding the Texas Animal Health Commission (TAHC).

TVMA was instrumental in the TAHC receiving a more favorable budget this time around and in helping to pass three of the four bills that were of interest to the agency as the session started. When on average only about 25 percent of all bills filed are ultimately passed, a .750 batting average is very good. There were three other bills also passed that affect the TAHC. That totaled to six bills passed involving the agency and its various stakeholders.

As you may remember, the agency budget was cut by approximately 50 percent in 2011 when both state and federal fund reductions were taken in to account. What we have now is a much smaller and leaner agency. TAHC survived, and hopefully you did not see a drop-off in customer service or professionalism from our staff during the past two years. The truth is we are simply too small currently to get everything done. In 2011, we had a budget for more than 200 employees. As of the time I write this article, we are sitting at 125 on the payroll. The agency exceptional items funding request for the 2014-2015 budget was for an extra \$2 million per year, and the request was granted. The extra funding will allow us to hire back some of the employees we lost during the last two years, including some more veterinarians!

The most significant bill for veterinarians and related to the TAHC that passed was HB 3569 (Kleinschmidt). This bill will allow TAHC to codify processes related to all the various ways that veterinarians and non-veterinarians are involved with regulatory animal health activities in Texas. In the past, the agency could only do so for brucellosis work. Right now, veterinarians

are approved by TAHC to perform various activities related to brucellosis (cattle and swine), tuberculosis (cattle and cervids), trichomoniasis, equine infectious anemia (EIA), equine piroplasmiasis, pseudorabies, chronic wasting disease (CWD), submission of diagnostic specimens to our lab and the sale of health certificates.

The bill requires the TAHC to create and pass rules related to this oversight by December 1, so we will start the planning process with TVMA and other veterinary stakeholders soon. The new rules will be proposed at the September 10 meeting and then passed at another meeting prior to December 1. It is anticipated that any veterinarian who already has brucellosis-approved personnel status will be grandfathered into the new program. We will continue to certify the Texas A&M University College of Veterinary Medicine (TAMU-CVM) students while they are in school and will create new opportunities for certifying out-of-state veterinarians moving to Texas.

The second bill of note was HB 1807/SB 1095 (King/Hinojosa), which updated the language and authority related to the cattle fever tick program activities in South Texas. It allows for the use of other more current types of treatment products in addition to "dipping" with Co-Ral, such as Avermectins (Ivermectin) to treat cattle. It authorizes the TAHC to pass rules related to preventative products, since it is anticipated that a Texas vaccine will be available for use in the quarantine zone by late 2013. The bill also authorizes the feeding of treated corn to cervids on adjacent or high-risk pastures and surveillance on deer populations in the same locations where cattle have vacated the pasture. Trying to determine if fever ticks are in pastures where there are no cattle has been problematic.

SB 820 (Williams) was also passed. Contingent upon time and funding, SB 820 authorizes the TAHC to perform an epidemiological assessment of the need to destroy deer for disease reasons when the Texas Parks and Wildlife Department (TPWD) is considering doing so. The TAHC

and TPWD will be working closely on this concept to develop a memorandum of understanding first and then policies and procedures consistent with the intent of SB 820.

HB 1081 (Gonzalez, Mary) requires the TAHC to perform a risk assessment regarding the possibility of amending the high-risk zone in El Paso and part of Hudspeth county that currently prohibits dairies to operate in the region. This project will be completed by September 2014 and will require testing of all current susceptible livestock in the zone and an evaluation of the ongoing risk in Juarez as well as looking at the U.S. dairy industry and tuberculosis (TB) programs.

An animal disease traceability bill, HB 2311 (Kacal), was also passed. This bill clarified that the TAHC authority to pass rules creating an animal identification program cannot be more stringent than a federal animal disease traceability program or other federal animal identification program unless the requirement is for a specific animal disease or animal emergency management and receives a two-thirds vote of the Commission. It further removed any criminal penalty (Class C misdemeanor) for violation of an animal identification rule and removed all references to the old National Animal Identification System (NAIS). The law grandfathered in existing animal identification programs, however, as some state rules are more stringent than the federal rules or there simply isn't a federal rule.

Finally, HB 1521 (Clardy), a poultry-specific bill, was passed, which authorizes the agency to require the depopulation of diseased poultry flocks and allows the TAHC to indemnify owners when funds are available. The agency already had this authority for livestock but not poultry.

It was a very successful session related to animal health disease programs and the TAHC. Thanks again to TVMA and its members and leadership. Please stay tuned as we work with TVMA this fall to create the rules for the first state accreditation-type program as a result of HB 3569. [TV](#)